

## REMARKS

This is in response to the Office Action dated August 1, 2008. In view of the foregoing amendments and following representations, reconsideration is respectfully requested.

By the above amendments, claims 1, 2, 3, 11, 12, 13, 21, 23, 26, 27, 29 and 42 have been amended; and claims 8, 18 and 22 have been cancelled. Thus, claims 1-7, 9-17, 19, 20, 21 and 23-54 are currently pending in the present application. It is noted that the previous Office Action rejected claims 1-54, and thus it is assumed that the restriction requirement of March 18, 2008 has been withdrawn.

Next, a number of minor amendments have been made to the specification and abstract in order to conform the application to a preferred format. Note that the changes to the abstract are submitted in the form of a substitute abstract. Copies of the amended portions of the specification, claims and abstract, with changes marked therein, are attached and entitled "Version with Markings to Show Changes Made."

Next, on pages 2-4 of the Office Action, claims 1-5, 8, 10-15, 18, 21, 23, and 25-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Nishio et al. (U.S. Patent No. 5,856,009). Also, on pages 4-6 of the Office Action, claims 1, 7, 9, 11, 17, 19, 20 and 23-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Budd et al. (U.S. Patent No. 6,458,512). It is submitted that the present invention, as embodied by the amended claims, now clearly distinguishes over the applied prior art references for the following reasons.

Each of the independent claims has been amended by reciting that a BET value of said coated phosphor is 1.0 to 10 times larger than a BET value of said phosphor before coating. Providing the

coated phosphor with a BET value, that is 1 to 10 times the BET value before coating, yields an improved thermal resistance, weather resistance and light resistance (see page 23, line 31 to page 24, line 1 of the specification). Note, this limitation was previously recited in original claims 8 and 18, which were not rejected over the Budd reference. Accordingly, the rejection of claims over the Budd reference is now moot.

In the description of the rejection (page 3), the Examiner takes the position that *“Nishio teaches the BET value of said coated phosphor is 1.0 to 10 times the BET value before coating.”*

**Nishio** discloses coated phosphor particles provided with heat resistive coating films. The phosphor particles are made of ZnS activated with Cu, Ag and halogen (see col. 1, lines 22-23). The coating comprises a double layer of a metal oxide film and a silicon nitride film. However, the Nishio reference has been carefully reviewed, and it is apparent that Nishio does not specifically disclose a BET (Brunauer-Emmett-Teller) value. Accordingly, it is submitted that claims 1, 11, 23, 29 and 42 are clearly allowable over the Nishio reference.

Further, in the obviousness rejections on pages 6-10 of the Office Action, the Examiner proposes combinations of the Nishio reference and Takahashi et al. (U.S. Patent Application Publication 2002/0043926). However, neither of these references discloses or suggest the specific BET value required in each of the independent claims, and thus Applicant's invention, as defined in claims 1, 11, 23, 29 and 42, is allowable over the prior art of record.

The remaining claims depend, directly or indirectly, from one of the allowable independent claims, and therefore these claims are allowable at least by virtue of their dependencies.

In view of the above, it is submitted that the present application is now clearly in condition for allowance. The Examiner therefore is requested to pass this case to issue.

In the event that the Examiner has any comments or suggestions of a nature necessary to place this case in condition for allowance, then the Examiner is requested to contact Applicant's undersigned attorney by telephone to promptly resolve any remaining matters.

Respectfully submitted,

Tadashi MARUTA et al.

By: 

Michael S. Huppert  
Registration No. 40,268  
Attorney for Applicants

MSH/kjf  
Washington, D.C. 20006-1021  
Telephone (202) 721-8200  
Facsimile (202) 721-8250  
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